

City of Burien

BURIEN PLANNING COMMISSION
May 13, 2015
7:00 p.m.
Multipurpose Room/Council Chambers
MINUTES

To hear the Planning Commission's full discussion of a specific topic or the complete meeting, the following resources are available:

- Watch the video-stream available on the City website, www.burienwa.gov
- Check out a DVD of the Council Meeting from the Burien Library
- Order a DVD of the meeting from the City Clerk, (206) 241-4647

CALL TO ORDER

Chair Jim Clingan called the May 13, 2015, meeting of the Burien Planning Commission to order at 7:00 p.m.

ROLL CALL

Present: Jim Clingan, Brooks Stanfield and Douglas Weber

Absent: Joey Martinez, Butch Henderson, Curtis Olsen, Amy Rosenfield

Administrative staff present: Chip Davis, Community Development director; David Johanson, senior planner

Chair Clingan explained that because the commission was lacking a quorum, the commissioners are unable to confirm tonight's agenda or approve the minutes of the previous meeting.

PUBLIC COMMENT

None.

PUBLIC HEARING

Chair Clingan opened the public hearing on the proposed updates to Burien Municipal Code Chapter 19.40, Critical Areas, at 7:03 p.m. and read the rules of order for the hearing.

David Johanson, senior planner, gave a brief introduction to the hearing topic, noting that this is a focused update to comply with the Growth Management Act, along with some edits to improve the usability of the code. Nell Lund and Tess Brandon of The Watershed Company, consultants to the City, then reviewed the work that has been done on the proposed updates to date.

Mr. Johanson noted that written comments had been received after the meeting packets had been mailed to the commissioners and those comments were provided to the commissioners.

Janis Freudenthal, 13229 12th Ave. SW, #233, representing the group Neighbors of Seahurst Park, asked that the Critical Areas map be updated to include a "mosaic" wetland they have identified in Seahurst Park, with a small portion on private property. She cited documentation provided to the commission by the group.

Chestine Edgar, 1811 SW 152nd St, provided each of the commissioners with a printed copy of her comments on the proposed changes to the Critical Areas Ordinance, referring to those comments during her testimony. She asked that the area within the Salmon Creek Ravine that slid during the 2001 Nisqually earthquake be designated on the Critical Area map as a seismic hazard area.

Robert Howell, 15240 20th Ave SW, cited several items of concern to him dealing with wetlands, vegetation, and buffers.

Robbie Howell, 15240 20th Ave SW, spoke about the City of Seattle's Environmentally Critical Areas update for 2015. She was impressed by Seattle's efforts and wants Burien to establish large buffers to preserve habitat.

Douglas Sykes, 15221 28th Ave SW, said the state Department of Labor and Industries is in the process of updating its enforcement of hillside trams. He said if anyone owns a home accessed by a tram and not owner occupied, the house may be designated commercial and it may be required that a fence run the entire length of the tram. He said he does not think there is any requirement for wildlife passage through the fence.

There being no further testimony, Chair Clingan closed the public hearing at 7:47 p.m.

OLD BUSINESS

A. Discussion on Amendments to BMC Chapter 19.40, Critical Areas

Commissioner Stanfield said that when the commission began the update process he didn't think it would involve updating the Critical Area map and asked if this update process could even involve updating the map. Mr. Johanson responded that staff will recommend working with Ecology and the information that has been provided to the City to show the wetland on the map, designating it as "unclassified wetland" since a formal wetland study on it has not been completed.

Commissioner Stanfield then asked if the City looks toward wetland mitigation within its own jurisdiction, rather than outside the city. Mr. Johanson responded that the preference is to find opportunities for mitigation on the site or, if that is not feasible, within the same sub-drainage basin. If that is not possible, the next option is within the same WRIA.

Commissioner Weber asked if facilities such as trails are still allowed in the outer 25 percent of a wetland buffer if the buffer width is non-conforming; for instance, there is a road that limits the buffer to less than the required width. Ms. Brandon replied that it would have to be judged on a case-by-case basis, depending upon the quality of the buffer, but the starting point would be 25 percent of the standard buffer width. Mr. Johanson noted that after starting with the basics in the code, it is possible to then evaluate the options, such as buffer averaging or enhancement, always on a case by case basis with the goal of improving the function and values of the buffer.

Commissioner Weber then asked if the 33 percent increase in buffer width required in instances where the applicant chooses not to minimize the impacts of the adjacent land uses is a state requirement. Ms. Lund said that comes from the Department of Ecology's buffer width recommendations and gives applicants some flexibility.

Chair Clingan asked if the increased wetland buffer width of 300 feet is a DOE requirement. Ms. Brandon replied it is the widest possible buffer allowed on the chance that any wetland could be a Category 1 wetland.

Chair Clingan then asked if any structures made nonconforming by the updated Critical Areas Ordinance will be replaceable. Mr. Johanson replied that they would be unless the applicant is doing something that exceeds 50 percent of the value of the structure, in which case it would need to be brought into compliance.

Mr. Johanson drew the commissioners' attention to written comments that had been received. He noted in particular that staff will be looking into the comments provided by the Muckleshoot Tribe.

NEW BUSINESS

None.

PLANNING COMMISSION COMMUNICATIONS

Commissioner Stanfield announced that Friday, May 15th, is National Bike to Work Day, and for the fifth year in a row he will be helping to host a support station in Town Square Park. Refreshments will be supplied by local businesses.

DIRECTOR'S REPORT

Chip Davis reported that the City has received the resignation of Commissioner Joey Martinez, effective following the May 27th commission meeting. The City will be conducting a replacement process on a schedule to be determined.

He then reported that at the May 4th City Council meeting the council placed the Anna Friel rezone request on the 2015 Comprehensive Plan amendment docket with the condition that the applicants pay one-half of the required fee. On Monday, May 11th, the applicant paid the fee and therefore the application will be considered as part of the private Comprehensive Plan amendment requests this fall.

Mr. Davis concluded that he will be out of the office from Thursday, May 14th, through Friday, May 29th, and Mr. Johanson will be the acting Community Development director in his absence.

ADJOURNMENT

Direction/Action

Chair Clingan adjourned the meeting at 8:15 p.m.

APPROVED: May 27, 2015

/s/ Jim Clingan, chair
Planning Commission